

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

SAMUEL L. MARSHALL,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIV. ACT. NO. 2:18cv808-ECM
	)	[WO]
PATRICE RICHIE, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**OPINION and ORDER**

On November 30, 2018, the Magistrate Judge entered a Recommendation dismissing the petitioner's habeas petition without prejudice for Marshall's failure to exhaust his available state remedies petition. (Doc. 16) On December 19, 2018, the plaintiff filed objections to the Recommendation of the Magistrate Judge. (Doc. 17) The Court has carefully reviewed the record in this case, the Recommendation of the Magistrate Judge, and the petitioner's objections. Upon an independent review of the file in this case and for good cause, it is

ORDERED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED, the petitioner's objections be and are hereby OVERRULED, the petition for writ of habeas corpus filed by Marshall on September 19, 2018, be and is hereby DENIED without prejudice.

DONE this 9th day of January, 2019.

/s/ Emily C. Marks  
UNITED STATES DISTRICT JUDGE